

NEW YORK HERALD

BROADWAY AND ANN STREET.

JAMES GORDON BENNETT,
PROPRIETOR.

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VOLUME XL.....NO. 49

AMUSEMENTS TO-NIGHT.

ACADEMY OF MUSIC.
DRAMATIC ENTERTAINMENT, in aid of the Masonic Dedication Fund, at 8 P. M. Miss Little Bridge.

TOST PASTORS' OPERA HOUSE.
No. 201 Bowery.—VARIETY, at 8 P. M.; closes at 10:45 P. M.

LYCEUM THEATRE.
Fourteenth street and Sixth avenue.—OFF THE LINE and THE DODGER, at 8 P. M.; closes at 10 P. M. Mr. W. L. Todd.

BRYANT'S OPERA HOUSE.
West Twenty-third street, near Sixth avenue.—NEGRO MINSTRELS, at 8 P. M.; closes at 10 P. M. Dan Bryant.

BROOKLYN PARK THEATRE.
VARIETY, at 8 P. M.; closes at 10 P. M.

GERMANIA THEATRE.
Fourth street, near Broadway.—FAMOUS HOBBER, at 8 P. M.; closes at 10:45 P. M.

PARK THEATRE.
Broadway.—French Opera Bouffes.—GIROFLE-GIROFLE, at 8 P. M. Mile. Coralie Geoffroy.

NIBLO'S.
Broadway.—THE OCEANOGRAPH, at 8 P. M.; closes at 10:45 P. M. Edwin P. Thorne.

COLONEL'S.
Broadway and Third street.—PARIS BY NIGHT, at 8 P. M.

BOOTH'S THEATRE.
Corner of Twenty-third street and Sixth avenue.—HENRY V., at 8 P. M.; closes at 10:45 P. M.

SAN FRANCISCO MINSTRELS.
Broadway, corner of Twenty-third street.—NEGRO MINSTRELS, at 8 P. M.; closes at 10 P. M.

ROBINSON HALL.
Sixteenth street.—REGINA DELL CARE, at 8 P. M.; closes at 10:45 P. M. Mr. Macabre.

ACADEMY OF DESIGN.
Corner of Twenty-third street and Fourth avenue.—EXHIBITION OF WATER COLOUR PAINTINGS. Open from 9 A. M. to 5 P. M. and from 6 P. M. to 9 P. M.

WALLACK'S THEATRE.
Broadway.—THE SHAUGHRAUN, at 8 P. M.; closes at 10:45 P. M. Mr. Boucicault.

STREET HALL.
Fourth street.—DRAMATIC RECITALS. Miss Jennie Hotchkiss.

WOODS MUSEUM.
Broadway, corner of Third street.—MARKED FOR LIFE, at 8 P. M.; closes at 10:45 P. M. Matinee at 2 P. M.

TIVOLI THEATRE.
Elgin street, between Second and Third avenues.—VARIETY, at 8 P. M.; closes at 10:45 P. M.

BROOKLYN THEATRE.
Washington street.—THE GENOVA CROSS, at 8 P. M.; closes at 10:45 P. M. Mr. Frank Roche, Mrs. F. B. Conway.

STADT THEATRE.
Bowery.—THE MERRY WIVES OF WINDSOR, at 8 P. M. Miss Lina May.

OLYMPIC THEATRE.
No. 624 Broadway.—VARIETY, at 8 P. M.; closes at 10:45 P. M.

ROMAN HIPPODROME.
Twenty-sixth street and Fourth avenue.—Afternoon and evening, at 2 and 8.

THEATRE COMIQUE.
No. 514 Broadway.—VARIETY, at 8 P. M.; closes at 10:45 P. M.

FIFTH AVENUE THEATRE.
Twenty-eighth street and Broadway.—THE BIG BO. SANZA, at 8 P. M.; closes at 10:45 P. M. Mr. Lewis, Miss Davidson, Mrs. Gilbert.

TRIPLE SHEET.

NEW YORK, THURSDAY, FEBRUARY 18, 1875.

From our reports this morning the probabilities are that the weather to-day will be cold and clear.

WALL STREET YESTERDAY.—Gold advanced to 115½, declined to 114½, and closed at 115. Foreign exchange was irregular. Stocks were active and lower.

WHERE IS Uncle Dick?

If GENERAL GRANT and his friends are not arranging for a third time what are they doing?

THE REVENUE QUESTION was debated in the House yesterday, but, of course, without definite result.

THE Springfield Union suggests that the President and Congress should be abolished, and the country governed by a commission of independent editors.

THE COSTIGAN BILL reels at Albany. Yesterday seventeen democrats, representing the wishes of Tilden, opposed it and voted with the republicans.

IT IS PROPOSED to waste the remainder of the session of the Senate upon Pinchback. The democrats announce that they will talk until the 4th of March rather than admit him.

THE ROMAN seems to be generally credited that Dr. Hayes will lead an Arctic expedition into Westchester. If the Doctor goes by water he will deserve great praise for his courage.

THE LATEST NEWS from John Mitchell is that he will again run for Parliament, and that he is received with the utmost enthusiasm by the Irish. Disraeli has made Mitchell the most popular man in Ireland.

COLORADO.—The Greeley Tribune announces that the coal fields of Colorado are larger than the whole area of New England. It would not surprise us if this wonderful Territory developed as much wealth as California.

PAUL CASSAGNAC'S Paris newspaper, the Pays, Bonapartist organ, announces gravely that the Prince Imperial, having graduated at the head of his class in fencing and horsemanship, will "from to-day wholly devote himself to the direction of the Imperialist party." France will be rejoiced to know that a nineteen-year old boy has left his foils and ponies to devote himself to the Empire—to wait, if the truth were known, until some General inspires a coup d'état, like Prince de Rivera in Spain. We do not know whether the Prince proposes to buy a tame eagle, as his father did, and make a descent upon France; but it would not surprise us.

Governor Tilden and the Legislature—A Threatened Democratic Schism.

In order to get a clear understanding of the conflict developing at Albany between the Governor and his party in the Legislature it is necessary to bear in mind that Mr. Tilden is not only Governor of New York, but a candidate for the Presidency in the election of 1876. His aspirations impel him in one direction and his duties as Chief Magistrate of this State should carry him in another. It is becoming evident that his State duties and his national aspirations are incompatible, and that his personal ambition is likely to obstruct his usefulness as Governor and to create a breach in the democratic party of the State. The legislative measure known in common parlance as the Costigan bill is the occasion of this threatened split. The democratic members of Assembly have supported the bill, voting to order it to a third reading and put it on its passage. The Governor has become apprehensive that republicans enough will support it to carry it through the Senate, when he would have to take the responsibility of signing or vetoing it. He recoils from this responsibility, and is understood to be exerting all his secret influence to get the bill killed in the Assembly.

The reasons why he is neither willing to sign nor to veto it, and therefore wishes it strangled in the place of its birth, are quite obvious in view of his double relation to State and national politics. A veto would bring him into open collision with his party in the Legislature, and, by alienating the strongest branch of his supporters in the last election, prevent a unanimous New York delegation in the Democratic National Convention. If there should be a strong body of anti-Tilden delegates from this State he could have no reasonable hope of securing the nomination. On the other hand, if he should sign the bill, he fears he would be signing his death warrant as a Presidential candidate. His political stock in trade consists in his reform record and the conspicuous part he took in demolishing the Tweed ring. He knows how quick and keen his adversaries would be in taking advantage of any act which could be made to wear the appearance of inconsistency with his reform record. The first practical consequence of his signing the Costigan bill would be the removal of his creature, Comptroller Green. It was he that put Green in office, and he fears that if he consents to a measure which would result in Green's removal he would be accused of deserting the banner of reform and be damaged in his Presidential aspirations. If he had "an eye single" to his duties as Governor there is no reason why he should find his present situation embarrassing. Instead of interfering to prevent the passage of this bill, as a means of escaping the responsibility of signing or vetoing it, Governor Tilden would allow it to take its course and accept the consequences of his proper official action.

The Costigan bill, which is the occasion of this budding quarrel between the Governor and Legislature, has two main features, and if we could separate the Presidential candidate from the State Executive there is no discoverable reason why a democratic Governor should object to its passage. One of these features curtails and the other somewhat extends the authority of the Mayor. So far as the bill abridges the power of the Mayor we have seen no objection to it in any quarter. The present city charter, as enacted in 1873, declared that "the Mayor shall nominate, and by and with the consent of the Board of Aldermen, appoint the heads of departments and all commissioners." This was changed by a special act passed last spring empowering the Mayor to make appointments without the consent of the Aldermen. When Governor Dix signed this bill he was assailed and denounced by leading democratic organs, and a brief experience proved that Governor Dix made a mistake. When Mayor Havemeyer raised a general outcry against the appointments he made in pursuance of this unrestricted power, and Governor Dix was compelled to investigate charges of malfeasance brought against the Mayor for his scandalous appointments, the Governor did not think fit to remove the late Mayor for his abuse of the appointing power, but he acknowledged, in a published communication, that the law which clothed the Mayor with the sole power of appointment was a blunder. With this recent experience of the bad effects of that law nobody can seriously maintain that the feature of the Costigan bill which seeks to restore to the Board of Aldermen its former check on appointments is not wise. Assuming this to be beyond controversy we proceed to consider the other main feature of the bill.

The Mayor's power of removal, as the charter now stands, requires the concurrence of the Governor in every case to make it effective. This provision was first introduced into our municipal government in the charter of 1872, for partisan reasons which we will not here recount or discuss. It is a strong presumption against its wisdom that it has no parallel either in any previous charter of this city or in the charters of other American cities. That it is unsound in principle might be proved by the former arguments of some of our city contemporaries who are now strenuously opposing the Costigan bill. The Evening Post, in particular, contended for years, beginning in 1870, that the best scheme for a charter would be to clothe the Mayor with full responsibility for the heads of departments. If it had one article it had at least fifty, first and last, advocating this view. It declared again and again, with unwearied iteration, that the correct model for a city government in its executive branch is the constitution of the United States, which makes the President responsible for the heads of departments by investing him with the power of removal. The Evening Post held that concentration of authority in the hands of the Mayor would enable the people to hold him responsible for the wise and honest administration of the city government and simplify the control of the people over their local affairs. We can imagine no reason, apart from some recent festivities, why the Evening Post has renounced a principle for which it so long and so ably contended.

It is not, perhaps, quite so easy to show that Governor Tilden is equally recalcitrant to former avowed principles, but we need go no further back than his Message at the beginning of the session to find reasons why the

Costigan bill should receive his approval. We ask attention to one or two pertinent quotations from that document. The keynote of that part of the Message was struck in this sentence:—"All the invasions of the rights of the people of the city of New York to choose their own rulers and to manage their own affairs—which have been a practical denial of self-government for the last twenty years—have been ventured upon in the name of reform, under a public opinion created by abuses and wrongs of local administration that found no redress." The Governor then went on to expose the capital defect in all our recent city charters in this striking language:—"It is long since the people of the city of New York have elected any Mayor who has had the appointment, after his election, of the important municipal officers. Under the charter of 1870, and again under the charter of 1873, the power of appointment was conferred on a Mayor already in office. There has not been an election in many years in which the elective power of the people was effective to produce any practical results in respect to the heads of departments in which the actual governing power really resides."

We beg that this significant complaint against the charters of 1870 and 1873 may be duly weighed. It cuts from beneath the Governor every inch of ground on which he might hope to stand in opposing the Costigan bill. When Governor Tilden prepared his Message he was of the opinion that the people are entitled to change the whole personnel of the executive administration in every election of a Mayor. He said, very justly, that "the actual governing power really resides in the heads of departments," and regarded it as a great wrong to the people that their choice of a Mayor is made fruitless of practical results by the fact that the heads of departments appointed by his predecessors continue to hold their offices in spite both of him and of the people who elected him. The effect of the Costigan bill would be to clothe the Mayor with that control of the city administration of which Governor Tilden so strongly asserted the importance in his Message. When he wrote the Message, it was a strenuous advocate of the right of the people to change the whole body of their local officers in every election. On principle, and judged by his own recent official declarations, Governor Tilden is bound to give his hearty assent to the bill whose passage through the Legislature he is exerting himself to defeat. The warm language pointed at him by some of the democratic speakers in the Assembly yesterday should convince him that he is playing a dangerous game and that his course is calculated to divide and disorganize the democratic party of the State.

Composition Pavements.

If any fact is more definitely understood than another, so far as pavements are concerned, it is that the project to poltice Fifth avenue, or to disfigure it by any chemical composition in the way of a pavement, meets neither the wishes of the people who live on the avenue nor the public generally, to whom Fifth avenue is a public highway. Already a remonstrance has been presented against the proposal to allow it to be covered with asphalt, signed by the best citizens of the avenue. As this avenue is to be paved by the taxpayers, however, the reason for this being that it is a public highway to the Park, the special objection of those who live on it should be received with reserve. Our opposition to the proposition to poltice the avenue is not based so much on the wishes of the residents as for the good of the people. We have had already many of our streets ruined by experiments in wood, asphalt and tar. Let any curious citizen walk from Delmonico's to Central Park, through Seventh or Eighth avenue, and up and down the cross streets, and he will see the lamentable results of these experiments. Let him study the pavement around the Worth Monument, which is held up as a model for Fifth avenue. Let him go into the Reservoir Park and see the pavements which were carefully prepared under the reign of the Ring empire from chemical recipes. He will then see just what it is proposed to do with Fifth avenue, and he cannot resist the conclusion that to cover this avenue with a substance which will crack in winter and melt in summer, and which is unfitted for our treacherous and extreme climate, is simply to throw money away. Let us have a plain, substantially built Macadamized road, and it will satisfy not only those who live on the avenue, but the people of New York, who are compelled to use it when they visit the Park.

THE BRECHER TRIAL dragged its slow length along yesterday. One important letter from Mrs. Tilton was read, which will stand a large amount of explanation. Mr. Tilton's examination closed, and he will no longer sit on the "ragged edge" of Mr. Evans' questioning. Mr. Tilton was not asked his opinions of "Paradise Lost" or the transit of Venus. But, then, counsel cannot think of everything. One of the jurors fainted. It would be a calamity if any misfortune happened to the jury before the case closed. Mr. Beach said that the Herald's prophetic report of the twenty-fifth year of the scandal seemed about to be realized. Mr. Beach is a very sagacious man. A Western newspaper says that the attorneys of Mr. Tilton will oppose Mrs. Tilton as a witness. This would put every sentiment of fair play. There can be no fair inquiry which does not embrace the evidence of Mrs. Tilton. For, although only a woman after all, she has some rights, a name to vindicate, and we should think, a story to tell. Somehow neither plaintiff nor defendant has cared much about the woman, who has only come into the case to be trodden under foot. For this reason, therefore, it is incredible that the plaintiff should not welcome Mrs. Tilton as a witness. She knows the truth and should be allowed or compelled to tell it. The decision which admitted Mr. Tilton would seem to make his wife eligible. But this, of course, is with the courts. Our only point is that fair play requires that all sides should be heard.

THE NATURE of the republican opposition in the Senate to Mr. Pinchback's admission is indicated by Mr. Ferry's strong speech yesterday, printed elsewhere.

John Mitchell.

Mr. John Mitchell was elected to Parliament on Monday, from the county of Tipperary, to fill the vacancy caused by the retirement of Colonel White. There was no opposition to his candidature, and as Mr. Mitchell had recently visited Ireland without any interference on the part of the authorities it seemed natural that the government had consented to overlook the offence for which he was condemned twenty-seven years ago. This offence consisted in assailing the Queen and taking part in a movement to overthrow the British government. In 1848, when Europe was alive with revolutionary impulses, when the republicans were rising in Germany and Lamartine was endeavoring to found his sentimental Republic in France, John Mitchell, in conjunction with William Smith O'Brien, Thomas Francis Meagher and many others, engaged in an attempt to free Ireland. Mitchell was tried under an act which made it felony to "compass or to imagine the deposition of the Queen, or to give expression to any such intention." We believe it was the trial of Mitchell and his conviction that led to the rising when, under the command of O'Brien, the Irish patriots engaged in a conflict at Ballinacorney, where several lives were lost. The result of this conflict was the trial of O'Brien and his friends for high treason, their conviction and banishment. O'Brien was allowed to return to Ireland in 1856, and the action of the English government in permitting this was regarded as a virtual pardon to all concerned with him, to none more than Mitchell.

Others of the patriots escaped from transportation, with the connivance, it is believed, of the British authorities, and have lived in the United States. Among them the most conspicuous is John Mitchell. He has been a resident of this country for many years. He has taken an active part in journalism and politics. Nothing seems more natural than that he should return to Ireland, feeling that an offence which was pardoned in O'Brien nearly twenty years ago should not be remembered to the disadvantage of one of O'Brien's comrades now. It is not surprising that the friends of Mr. Mitchell should elect him to Parliament. But we cannot understand upon what reasoning the British government proposes, as Mr. Disraeli announced in the House of Commons on Tuesday evening, to object to his taking his seat. The ground alleged is "that he is a felon under sentence." Mr. Mitchell is as much the representative of an idea as Sir Charles Dilke or Sir Wilfrid Lawson. The offence charged against him was committed nearly a generation since. It was an offence against the government and not against morals, or in any way affecting his integrity. There is no pretension that Mr. Mitchell returned to England on an illegal errand. It is certainly not an unlawful act for a subject of the British Crown to accept the suffrages of his own people, and sit in the House of Commons. Practically, even from Mr. Disraeli's own point of view, as the head of the British government, and bound, therefore, to protect in all its relations the dignity of the law, it would have been much wiser for him to either pardon Mr. Mitchell outright or to consider that time had accomplished a pardon, and allow him to quietly take his seat.

Some years ago this very same district, we believe, elected O'Donovan Rossa to Parliament. Rossa had been sentenced to imprisonment for an attempt to overthrow the British government. At the time of his election he was actually in prison, undergoing sentence. Mr. Gladstone moved that a new writ be issued and the election declared void, on the ground that Rossa was "a felon, undergoing punishment." In the eyes of the English law Mr. Gladstone's position was a sound one, as it would have been impossible almost to have expected the House of Commons to admit to its deliberations a prisoner doomed to severe punishment. But this reason does not exist in the case of Mr. Mitchell. He was allowed to return to Ireland to live without molestation or hindrance. The fact that he escaped from transportation was overlooked. "As we remarked before, twenty-seven years have passed since his sentence for an offence purely political. Certainly, therefore, to object to his admittance into the House of Commons on the ground that 'he has been adjudged guilty of felony and sentenced to transportation, and has neither endured the penalty nor received a pardon,' is a grave error. A wise, a magnanimous, or even a prudent Minister would have overlooked the fact that while, technically, Mr. Mitchell had neither served out his sentence nor received a pardon, and have either granted him a pardon or considered that his 'offence' had been condoned by time.

The effect of this act of Mr. Disraeli will be to revive ill feeling and agitation in Ireland. Mr. Mitchell might have quietly slipped into the House of Commons unnoticed, perhaps, except as a curious and gifted member of that small body of resolute nationalists who follow the forlorn flag of Ireland. He could have been crowded out of general debate by the pressure of business and the overpowering majority against him. At the very utmost he might have made one or two speeches amid the jeers of his opponents. As is so often the case with revolutionists late in life, he might have been pushed aside by the lustier and younger men. But Mr. Disraeli makes his cause the cause of every Irishman and his position that of the leader of those who claim that England has wronged Ireland, and that her rule is the rule of an oppressor. Furthermore, the English sense of fair play will be jarred sadly by the spectacle of a government attempting to punish a man for a nominal offence committed twenty-seven years ago, and which it had practically forgiven.

FROZEN HYDRANTS.—Of all the ills that a severe winter can inflict upon a large city there is none that calls for more grave reflection than the deprivation of means of defence against fires. When the Fire Department is rendered temporarily powerless, owing to the freezing of the hydrants, and that, too, during a season when fires are generally more to be feared than at any other time of the year, this question becomes one of special importance. We have already had a sad experience of the danger of frozen hydrants from the last tenement house fire, and without the adoption of speedy and urgent measures similar calamities may occur at any day. The proper authorities should exert every means to ward off dis-

aster in such a horrible shape, and the efforts of the firemen should not cease until every hydrant is in proper working order.

The Case of Dr. Kenely.

The announcement that Dr. Kenely has been elected member of Parliament from Stoke-upon-Trent will attract attention to an extraordinary case and in some respects an extraordinary man. Stoke-upon-Trent is a parliamentary borough in the county of Stafford, in the valley of the Trent, composed of a number of townships and villages, in the district familiarly called "the Potteries." The people are a rude, ignorant type, who generally devote themselves to the manufacture of earthenware. The borough is largely composed of laboring classes who have deep radical convictions. Dr. Kenely, it will be remembered, was the counsel for the defendant in the famous Tichborne case. By his course he brought upon himself the severe condemnation of the Lord Chief Justice. He was charged with having violated the courtesies of his profession, and was dismissed from his mess. He established a newspaper called *The Englishman*, a weekly journal, in which he criticised severely the Court before which he practised, the government and many high officers. For this he was disbarred from the practice of the law and his name was stricken from the rolls as Queen's counsel by the Lord Chancellor. The practical effect of these proceedings was to throw a lawyer, well on in life, with a large family, out of the practice of his profession; to deprive him of social standing and any opportunity of earning his livelihood.

Notwithstanding the person claiming to be Sir Roger Tichborne was convicted and sentenced to fourteen years' imprisonment—a sentence which he is now undergoing—there has been a wide feeling among the lower classes in England that he is the person he claims to be, and that he is now suffering an unjust penalty. Of course, this sympathy extends to his counsel, Dr. Kenely, who has fallen in his efforts to sustain his client. His election, therefore, from the "Potteries" is a declaration by the people that they still believe in the claimant and his cause.

Dr. Kenely's advent to Parliament is an interesting and will be a mischief-breeding event. He is a fine speaker, of marked abilities, and perfectly competent to take part in any debate. He will scarcely have a hearing in Parliament, however, as the public opinion of that body is largely against him. The House of Commons has also a summary way of stamping out a persistent member. Dr. Kenely represents not simply the borough which elected him, but a public feeling and a public prejudice of the most extraordinary character. He will hardly have it in his power to effect his client's pardon or to change the opinion of the upper classes of England, who regard the Tichborne claimant to be a despicable scoundrel. But in the agitation now pervading England, the growth of radical opinions, the tendency to create "burning issues," the rise of the republican sentiment, the presence of a man like Dr. Kenely in Parliament is an event not without significance. He goes there as a firebrand, and at this time nothing would seem to be more dangerous to the peace of England than a man of this quality and possessing the ability of Dr. Kenely.

Rapid Transit Again.

A bill has been introduced into the Assembly by Mr. Smith, of New York, in reference to rapid transit. It provides for a special election to decide upon plans and estimates for the road, which are to be prepared by the Society of American Engineers in conjunction with the Engineer-in-Chief of the Department of Public Works, and to be approved by the Chamber of Commerce, the Society of Engineers, the Cheap Transportation Association and the Common Council before being submitted to the people. The general feature of this bill seems to be a good one, with the exception that any measure of rapid transit that is to be approved by as many bodies as is here provided will be apt to perish from neglect. What plan the Society of American Engineers, the Chamber of Commerce and the Cheap Transportation Association can all possibly agree upon in the way of rapid transit we cannot imagine. We believe that the best way to accomplish rapid transit is for the Mayor and the Governor to take the thing directly in hand. Let them agree upon a plan, and the people will be sure to approve of it. We should all trust the judgment of a sound-minded business man like the Mayor and a far-seeing, ingenious statesman like the Governor on a question upon which so much has been said and so much is known, and which, after all, is simple in its character. The trouble in our country is that many great measures are destroyed by talk. "It seems to me," said Carlyle, "as if the finest nations of the world, the English and the Americans, were going all off into wind and tongue;" and the trouble with much of our rapid transit discussion is that it is wind and tongue. We have very little confidence in the practical wisdom or the efficiency of the American Engineers' Society or the Cheap Transportation Association. What we want is something done, and the Governor and the Mayor are the men who can and should and must do it.

THE ENGLISH POLAR EXPEDITION.—A special despatch to the Herald from London contains important news to all who are interested in Arctic discovery. A motion has been made in Parliament for the postponement for one year of the Polar expedition now being organized by the British Admiralty, in order that the Austrian and other governments may co-operate. It is probable that Parliament will act upon this suggestion, as the advantages of such a course as Mr. Reed proposes are obvious. The chances of success would be much greater if several governments should agree upon a plan for reaching the Pole, instead of depending upon isolated efforts. It is to be hoped, for the sake of American science, that the United States, in case Mr. Reed's motion is carried, will join in the international undertaking.

THE LEGISLATURE of West Virginia have elected as Senator Allen T. Caperton, who will enter the Senate, we presume, as an opponent of the republicans. Mr. Caperton is unknown, but the democrats as well as the republicans are succeeding admirably in elective obscure and apparently useless men to the new Senate.

The Rights of Dramatic Authors.

Mr. Boucicault addresses us a card, elsewhere printed, in which he calls attention to his determination to protect his own rights as an author and actor and the rights of all who have any relation to the drama. The case is very plain. Mr. Boucicault, one of the most distinguished of living actors and authors composes a play, which is the dramatic event of the season. It strikes the popular taste as deeply that it draws crowded houses for a hundred nights, and bids fair to do so for many hundreds of nights. By general consent and the unerring verdict of the people it becomes one of the most remarkable triumphs of the stage. How much is due to the genius of the actor or the author we do not say, as it might be to consider too curiously to enter upon that question. But the plain fact is that the work is that of Mr. Boucicault, and the advantage belongs as honestly to him as if he had founded a prosperous newspaper or built a profitable railway. No sooner, however, has his success become apparent than a rival manager produces a play, which is a copy of his comedy, embodying its attractive features, its business, situation, characters and spirit—all, in fact, that goes to give the "Shaughraun" its success.

Mr. Boucicault goes into Court and asks that he be protected in his property. The answer is that he stole it from two comedies, "Bryan O'Lynn" and "Pyke O'Callaghan." Upon looking into these comedies, anxious to discover the theft, we find no resemblance, nothing of the spirit, purpose or general conception of the "Shaughraun." We read a couple of indifferent, ordinary Irish comedies; one of them, "Bryan O'Lynn," owing its whole value to the admirable acting of Mr. Barney Williams, and nothing at all without him. The Judge so decides and Mr. Boucicault's rivals are turned out of Court like a band of gypsies who have captured a child and tanned it with the gypsy tinge and are compelled to return it. There can be no question about the justice of this decision. The "Shaughraun" is Mr. Boucicault's child, his conception and creation. If the gypsies run away with it, and stain its eyelids and change its clothes, and dye its hair and deck it in imitation jewelry, and call it "Skibbeeh," it is all the same its father's child, and belongs to him alone. If the gypsies can carry off the "Shaughraun" from Mr. Boucicault, they can take "Colonel Sellers," "Rip Van Winkle," "Solon Shingle" or any other of the noted dramatic creations which have in the course of a few years appeared on the stage.

There is no reason why Mr. Boucicault should not be criticised as severely as possible. If he culls dramatic flowers from other gardens and offers the nosegay as his own let the literary flower fanciers expose him. But no one has as yet discovered the parterre from which he stole the "Shaughraun." If it is a theft our worst wish is that our original dramatists should cease creating and take to stealing. It is the most exquisite comedy we have had for many a day, and it gives us a higher respect for law to find that Mr. Boucicault has been promptly protected in the enjoyment of it.

COMPTROLLER GREEN'S peculiar mode of transacting affairs in this city was partially investigated yesterday by a committee of the Board of Aldermen. Commissioner Wales, of the Dock Department, testified that Mr. Green's interference was "very serious—in fact, ruinous"—in the affairs of his department, and that his opposition to public improvements tended toward increasing the debt of the city. A number of other officials will be brought before the committee.

PERSONAL INTELLIGENCE.

Somebody has stolen the Paris guillotine. Mile. Albani sailed for Europe yesterday in the Abyssinia. Vice President Wilson returned to Washington last evening. General Fitz John Porter is registered at the Clarendon Hotel. Tennyson's poems are said to be the best literary property in existence. Garibaldi, as Deputy, proposes a bill for draining the Roman Campagna. All the monarchs in Europe will recognize Alfonso—except Don Carlos. Congressman elect Charles H. Joyce, of Vermont, is staying at the Grand Central Hotel. Colonel Randall S. Mackenzie, United States Army, is quartered at the Hoffman House. Messrs. William H. Seward and Elmore F. Ross, of Auburn, N. Y., are stopping at the St. Nicholas Hotel.

Mr. Henry Adams, son of Mr. Charles Francis Adams, arrived from Washington yesterday at the Brevoort House. That dear child Alfonso XII. sent to his mother Isabella two pigeons as a souvenir of his entrance into Madrid. Mr. John McCullough, the tragedian, arrived in this city yesterday from Cincinnati, and is at the Sturtevant House. Mr. George B. McCarty, Chief of the Printing Division of the Treasury Department, has arrived at the Fifth Avenue Hotel. Offenbach gave away his daughter as the bride of M. Tournai, at the Church of Notre Dame de Lorette, Paris, January 30. "Dear Father" was perhaps not "the happiest man in Brooklyn" when he heard of the testimony of Mrs. Carey, the wet nurse. Judge Samuel Balcom, of the New York Supreme Court for the Sixth Judicial District, is residing at the Grand Central Hotel. Several persons have recently been arrested in Paris theatres in the act of taking stenographic notes of the plays for use in London and in this city.

This is the form in which they say the despatch first came:—"Emperor of China dead; Prince Kang will be regent; head physician of the court decapitated."

Titan's "Dante" has been sold to the Emperor of Russia for \$126,000. The last owner was Prince Buoncompagni, of Boulogne, for one of whose ancestors it was painted.

Near the Morgue the small boy coming out is asked by the small boy who has not been in. "Say! are there many to-day?" "Many? They have to make up beds on the floor!"

An important geographical discovery of a great lake in the Brahmaputra Valley has been made by a half breed Tibetan, who had received instructions from the English engineers in India.

Montaniberti's executors protest, against the unauthorized publication in the *Contemporary Review* of portions of his work on "Spain and Liberty," which the review calls "Rome and Spain."

Soldiers of the garrison at Marseilles are having a mania for suicides. The commander has issued a general order for all soldiers who take their own lives to be buried with disgrace in the night-time, as guilty of an act of cowardice. Joseph has just died in Paris. He was remarkable only as the sole survivor of the family which Traupman tried to exterminate. He wrote a history of that crime in verses, and the verses were bad enough to inspire some regret that Traupman missed him.